

SUBJECT: RESPONSE TO 2006-2007 GRAND JURY REPORTS (District: All))

**County of San Diego Response to Grand Jury Report:
“A’ Grades in San Diego County Restaurants, Deserved or Not?”
Issued May 7, 2007**

I. FINDINGS AND RESPONSES

Finding: Pressure is high for REHS inspectors to manage regular visits.

Response: **We agree with this finding.** Department of Environmental Health management strives to ensure both high employee productivity and reasonable workloads.

Finding: In order to reduce foodborne illness, which is a serious concern for County residents who frequent these establishments, the County requires food service workers to be trained in proper food handling techniques.

Response: **We agree with this finding.** The County of San Diego has had a mandatory food handler training program in place since 1980 when the Board of Supervisors passed an ordinance establishing mandatory training of food handlers who work in food establishments such as restaurants, bakeries, and grocery stores. We plan to keep this requirement in place because food safety knowledge is an important public health intervention for food employees.

Finding: Tuberculosis, an airborne, infectious disease is an ongoing health concern particularly with the rise of drug resistant strains.

Response: **We partially disagree with this finding.** We believe that Tuberculosis is a public health concern, but not as related to the operation of food facilities. In San Diego County there is no documented case of transmission of Tuberculosis by employees at a food facility to patrons.

Finding: The use of gloves when preparing food would reduce the risk of foodborne illness.

Response: **We agree with this finding,** assuming that gloves are used correctly.

II. RECOMMENDATIONS AND PROPOSED RESPONSES

The 2006-2007 San Diego County Grand Jury recommends that the County of San Diego Department of Environmental Health:

Recommendation 07- 08: Establish a policy whereby annual Tuberculosis screening is required of all food service employees.

Response: **This recommendation will not be implemented** because it is not warranted as scientific studies do not support it.

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Recommendation 07- 09: Insist that food service establishments provide and require the use (and frequent change) of either plastic or food grade latex gloves when using hands to prepare food; such as, sandwiches and salads as well as meat and vegetable cutting.

Response: **This recommendation will not be implemented.** The California Health and Safety Code pre-empts the establishment of local standards for retail food facilities. However, state law does require that bare hand and arm contact with ready to eat food be minimized by using utensils, or other implements to assemble ready to eat food or to place ready to eat food on tableware or in containers, unless hands are washed. In addition, food that has been served to the customer and then wrapped or prepackaged at the direction of the customer shall be handled only with clean and sanitized utensils.

Recommendation 07- 10: Enact a requirement that all permanent food service establishments provide rubber mats on the floor for all food preparation and dishwashing areas to prevent slip and fall accidents.

Response: **The recommendation will not be implemented.** The California Health and Safety Code pre-empts the establishment of local standards for retail food facilities. However, Section 114150 of the California Health and Safety Code, California Uniform Retail Food Facilities Law specifies that anti-slip floor finishes are approved for use in food preparation areas for safety reasons. Our past experience with mats in food preparation areas has shown that they are difficult to maintain and, if they are not maintained, create harborage for dirt, grease, and vermin.

Recommendation 07-11: Establish guidelines whereby restaurant closures are immediately reported to all media including the date and reasons for closure.

Response: **This recommendation will not be implemented as written.** However, the Department of Environmental Health is creating a website that will provide information on restaurant inspections, including whether or not the facility was closed for serious violations of the California Health and Safety Code. This website will be available to both the public and media. Our goal is to have the website online this calendar year.

Recommendation 07-12: Create a “consumer friendly” website that would include only the following information:

- Restaurant name and location, alphabetically
- Date of closure
- Reason for closure
- Date opened
- Result of follow-up inspection (to be performed within a specified period)
- Retain closure information on the website for a period of one year

Response: **This recommendation will be implemented in part** and is already an integral component of the Department of Environmental Health’s planning process. It is in the stage of being developed for implementation as a supplement to our well recognized grading system. Our

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goal is to have the website online this calendar year. The California Health and Safety Code prescribes that the following data fields must be included on the department's website:

- The name and address of the facility
- The date of last inspection
- Identification of major violations. Major violations, if not immediately corrected may result in the closure of a food facility.
- The re-inspection date, if applicable
- Period of closure, if applicable

Recommendation 07- 13: Gain funding for increasing the number of REHS inspectors as soon as possible.

Response: **This recommendation has been implemented.** On April 25, 2007, the Board of Supervisors approved a new two- year fee package for DEH. The revenue increase associated with this Board action will support an increase in the number of REHS inspectors.